

No.

CR - 08 00579

JW

RS

FILED

UNITED STATES DISTRICT COURT

2008 AUG 27 P 3:47

NORTHERN DISTRICT OF CALIFORNIA

RENEA WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

E-FILING

SAN JOSE DIVISION

THE UNITED STATES OF AMERICA

vs.

SAUL DE LOS SANTOS VILLAFAN

and JAIME CRUZ-ALVARADO

INDICTMENT

COUNT ONE:

21 U.S.C. § 846 - Conspiracy to Possess with Intent to Distribute, and to Distribute, Methamphetamine

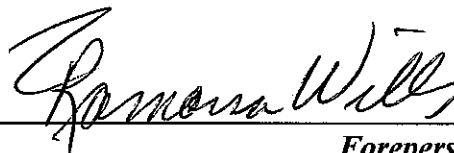
COUNT TWO:

21 U.S.C. § 846 - Attempt to Distribute Methamphetamine; 18 U.S.C. § 2 - Aiding and Abetting

COUNT THREE:

21 U.S.C. § 841(a)(1) and (b)(1)(B)(viii) - Possession with Intent to Distribute Methamphetamine; 18 U.S.C. § 2 - Aiding and Abetting

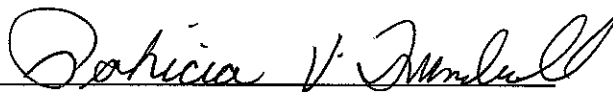
A true bill.



Foreperson

Filed in open court this 27 day of August

A.D. 2008



United States Magistrate Judge

Bail. \$ _____

FILED

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

2008 AUG 27 P 4:47

E-FILING

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

SAUL DE LOS SANTOS VILLAFAN,
JAIME CRUZ-ALVARADO,

Defendants.

CR - 08 - 00579

Criminal No.:

VIOLATIONS: 21 U.S.C. § 846 –
Conspiracy to Possess with Intent to
Distribute, and to Distribute,
Methamphetamine; 21 U.S.C. § 846 –
Attempt to Distribute Methamphetamine; 21
U.S.C. § 841(a)(1) and (b)(1)(B) –
Possession with Intent to Distribute
Methamphetamine; 18 U.S.C. § 2 - Aiding
and Abetting

SAN JOSE VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (21 U.S.C. § 846 - Conspiracy to Possess with Intent to Distribute, and to
Distribute, Methamphetamine)

Beginning on a date unknown to the Grand Jury, but no later than July 3, 2008, and
continuing until August 13, 2008, the defendants,

SAUL DE LOS SANTOS VILLAFAN, and
JAIME CRUZ-ALVARADO,

together with others unknown to the Grand Jury, did knowingly and intentionally conspire to
possess with the intent to distribute, and to distribute, 50 grams and more of a mixture and

INDICTMENT

substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(viii).

COUNT TWO: (21 U.S.C. § 846 - Attempt to Distribute Methamphetamine; 18 U.S.C. § 2 – Aiding and Abetting)

Beginning on a date unknown to the Grand Jury, but no later than July 3, 2008, and continuing until August 13, 2008, the defendants,

SAUL DE LOS SANTOS VILLAFAN, and
JAIME CRUZ-ALVARADO,

together with others unknown to the Grand Jury, did knowingly and intentionally attempt distribute 50 grams and more of a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, and did aid and abet in the same, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(viii), and Title 18 U.S.C. Section 2.

COUNT THREE: (21 U.S.C. § 841(a)(1) and (b)(1)(B)(viii) – Possession with Intent to Distribute Methamphetamine; 18 U.S.C. § 2 – Aiding and Abetting)

On or about August 13, 2008, in the Northern District of California, the defendants,

SAUL DE LOS SANTOS VILLAFAN, and
JAIME CRUZ-ALVARADO,

did knowingly and intentionally possess with the intent to distribute 50 grams and more of a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers,

//

//

//

//

//

INDICTMENT

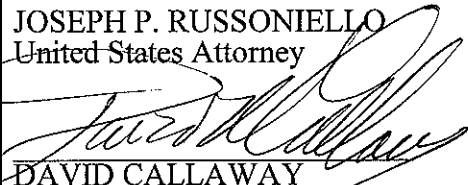
1 and salts of its isomers, a Schedule II controlled substance, and did aid and abet in the same, in
2 violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(viii), and Title 18
3 U.S.C. Section 2.

4
5
6
7 DATED: August 27, 2008

A TRUE BILL.

8 
9 FOREPERSON

10 JOSEPH P. RUSSONIELLO
11 United States Attorney

12 
13 DAVID CALLAWAY
14 Deputy Chief, San Jose Branch

15 (Approved as to form: )
16 AUSA DANIEL KALEBA

17
18
19
20
21
22
23
24
25
26
27
28
INDICTMENT

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**21 USC § 846-Conspiracy to Possess with
Intent to Dist., and to Dist., Meth.; 21 USC §
846-Attempt to Dist. Meth.; 21 USC § 841(a)(1)
and (b)(1)(B) - Possession with Intent to Dist.
Meth.; 18 USC § 2-Aiding and Abetting☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony**PENALTY:**40 years imprisonment
\$2,000,000 fine
4 years supervised release mandatory minimum
\$100 special assessment fee**E-FILING****PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

DEA - ANTHONY HERRERA

☐ person is awaiting trial in another Federal or State
Court, give name of court☐ this person/proceeding is transferred from another
district per (circle one) FRCrP 20, 21 or 40. Show
District☐ this is a reprosecution of
charges previously dismissed
which were dismissed on
motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a
pending case involving this same
defendant☐ prior proceedings or appearance(s)
before U.S. Magistrate regarding
this defendant were recorded underSHOW
DOCKET NO.MAGISTRATE
CASE NO.Name and Office of Person
Furnishing Information on
THIS FORM

JOSEPH P. RUSSONIELLO

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y
(if assigned)

TOM COLTHURST

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA**FILED**

DEFENDANT - U.S.

2008 AUG 27 P 3:41

SAUL DE LOS SANTOS VILLAFAN

RICHARD W. WIEKING

DISTRICT COURT NUMBERERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.**JW****CR - 08 00579**

DEFENDANT

RS**IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding.
If not detained give date any prior summons
was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges
- } ☐ Fed'l ☐ State
- If answer to (6) is "Yes", show name of institution

Has detainer
been filed? ☐ Yes ☐ No } If "Yes"
give date
filedDATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED
TO U.S. CUSTODY☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS*☐ WARRANT Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons
or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED
 21 USC § 846-Conspiracy to Possess with
 Intent to Dist., and to Dist., Meth.; 21 USC §
 846-Attempt to Dist. Meth.; 21 USC § 841(a)(1)
 and (b)(1)(B) - Possession with Intent to Dist.
 Meth.; 18 USC § 2-Aiding and Abetting

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony
PENALTY:
 40 years imprisonment
 \$2,000,000 fine
 4 years supervised release mandatory minimum
 \$100 special assessment fee

E-FILING

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

DEA - ANTHONY HERRERA

☐ person is awaiting trial in another Federal or State
 Court, give name of court

☐ this person/proceeding is transferred from another
 district per (circle one) FRCrP 20, 21 or 40. Show
 District

☐ this is a reprosecution of
 charges previously dismissed
 which were dismissed on
 motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a
 pending case involving this same
 defendant

☐ prior proceedings or appearance(s)
 before U.S. Magistrate regarding
 this defendant were recorded under
SHOW
DOCKET NO.MAGISTRATE
CASE NO.
 Name and Office of Person
 Furnishing Information on
 THIS FORM

JOSEPH P. RUSSONIELLO

☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y
 (if assigned)

TOM COLTHURST

 Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA

FILED

DEFENDANT - U.S.

2008 AUG 27 P 3:48

JAIME CRUZ-ALVARADO

RICHARD W. WIEKING

 DISTRICT COURT NUMBER
 U.S. DISTRICT COURT
 NO. DIST. OF CA. S.J.

JW

CR - 08 00579

DEFENDANT

IS NOT IN CUSTODY

- 1)
- ☐
- Has not been arrested, pending outcome this proceeding
-
- If not detained give date any prior summons
-
- was served on above charges
-
- 2)
- ☐
- Is a Fugitive
-
- 3)
- ☐
- Is on Bail or Release from (show District)

IS IN CUSTODY

- 4)
- ☒
- On this charge
-
- 5)
- ☐
- On another conviction
-
- 6)
- ☐
- Awaiting trial on other charges }
- ☐
- Fed'l
- ☐
- State

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No } If "Yes" give date filed
DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED
TO U.S. CUSTODY
☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☒ NO PROCESS*

☐ WARRANT Bail Amount:

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

 *Where defendant previously apprehended on complaint, no new summons
 or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments: